

705916-11

2/14/2014

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Nathan P. Ehresman
Nufarm Americans Inc, SJM Division
c/o Nufarm Americas Inc.
4020 Aerial Center Parkway
Morrisville, NC 27560

FEB 14 2014

Subject: Notification per PR Notice 98-10 and 2007-4: Updated Storage and Disposal
Language and other Minor Label Changes
Product Name: Dichlorprop-P -2EH
EPA Reg. No. 70596-11
Application Dated: February 4, 2014

Dear Mr. Ehresman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 and 2007-4 for the subject product.

The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and 2007-4 and finds that the action requested falls within the scope of this notice. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions regarding this letter, please feel free to contact Maggie Rudick at (703) 347-0257 or rudick.maggie@epa.gov.

Sincerely,

A handwritten signature in cursive that reads "Maggie R. M." with "for" written below it.

Kathryn Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: NOTIF	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number Nufarm Americas Inc SJM Division/ 70596-11	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nufarm Americas Inc SJM Division/ DICHLORPROP-P-2EH	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc SJM Division C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No.: _____ Product Name: _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

NOTIFICATION OF LABEL CHANGE Per PR Notice 98-10 & 2007-4
 See Attached

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)	
*Certification must be submitted If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt. No. per container			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 gallons, 260 gallons		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

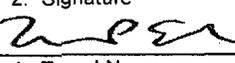
Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application):

Name Nathan P. Ehresman	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 919-379-2515
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Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature 	3. Title Director, Regulatory Affairs	6. Date Application Received (Stamped)
4. Typed Name Nathan P. Ehresman	4. Date February 4, 2014	

ATTACHMENT TO LABEL NOTIFICATION DATED February 4, 2014

ACTION

Added the statement "For Manufacturing Use Only"	:
Revised the 2,4-DP-p Acid Equivalent statement to show only % by wt.	:
Revised the expression of measure of contents.	:
Revised the Pesticide Storage statement	:
Updated the Container Disposal statement to remove unnecessary options and added triple rinse & pressure rinse instructions.	:
Updated Warranty Statement to a new version.	:
	NOTIFICATION
	FEB 14 2014

Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 98-10 and PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



 Nathan P. Ehresman
 Director, Regulatory Affairs

February 4, 2014

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DICHLORPROP-P-2EH**(+) (R)-2-(2,4-dichlorophenoxy)propionic acid, 2-ethylhexyl ester****FOR MANUFACTURING USE ONLY****ACTIVE INGREDIENT:**

(+) (R)-2-(2,4-dichlorophenoxy)propionic acid, 2-ethylhexyl ester*	90.2%
OTHER INGREDIENTS:	<u>9.8%</u>
TOTAL:	100.0%

*2,4-DP-p Acid Equivalent: 61.1% by weight.

KEEP OUT OF REACH OF CHILDREN**CAUTION****SEE BELOW FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS**

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
 For Medical Emergencies Only, Call (877) 325-1840

NOTIFICATION
FEB 14 2014

EPA REG. NO. 70596-11

EPA EST. NO. _____

NET CONTENTS: _____ Gallons (____ Liters)

Equivalent NET WEIGHT: _____ LBS (____ KG)

Manufactured For
 NUFARM AMERICAS INC
 SJM DIVISION
 4020 Aerial Center Parkway
 Morrisville, NC 27560



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

Causes substantial but temporary eye injury. Harmful if swallowed, inhaled, or absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not get in eyes, on skin, or on clothing. Avoid breathing vapor. Wear goggles or face mask. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before re-use.

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
For eye irritation, examination by an ophthalmologist may be indicated. If swallowed, probable mucosal damage may contraindicate the use of gastric lavage. Product contains a phenoxy herbicide chemical. There is no specific antidote.	

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the Environmental Protection Agency.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Only for formulation as an herbicide for the following uses: 1) nonfood terrestrial, including residential lawns, sod farms, ornamental turf, golf courses, parks and playgrounds, cemetery, and rights of way; 2) uses for which US EPA has accepted the required data and / or citations of data that the formulator has submitted in support of registration and 3) uses for experimental purposes that are in compliance with US EPA requirements.

Only for formulation in end-use products with directions for use that prohibit aerial applications. Only for formulation into end-use products with directions for use that prohibit broadcast applications greater than 0.75 lb ae 2,4-DP-p/A. Only for formulation into end-use products with directions for use that prohibit spot treatment applications greater than 2.0 lbs ae 2,4-DP-p/A. Must only be formulated into Ready-to-Use spray containers that produce droplets that are medium or coarse in size according to the ASAE (S572) definition for standard nozzles.

This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with US EPA submission requirements regarding support of such use(s).

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store only in original container separate from other pesticides, fertilizers, food and feed.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law and may contaminate ground water. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER HANDLING:

Nonrefillable Container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in an approved sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: Empty the remaining contents into manufacturing equipment or mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip back and forth several times. Empty the rinsate into manufacturing equipment or mix tank, or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into manufacturing equipment and drain for 10 seconds after the flow begins to drip. Hold container upside down over manufacturing equipment, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.]

WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV021414)

LABEL HISTORY

File Name	Revision Mark	Comment
070596-00011.20140204.DRAFT	RV020414	Added the statement "For Manufacturing Use Only, Added Chemtrec # & medical hotline#. Revised the measure of contents statement, Revised Container Disposal Statement remove options not needed and added triple rinse and pressure rinse instructions, revised the Warranty Statement
070596-00011.20140214.DRAFT	RV021414	Updated container disposal according to EPA requested changes.